



## CITY OF PHILADELPHIA

POLICE DEPARTMENT  
HEADQUARTERS, FRANKLIN SQUARE  
PHILADELPHIA, PENNSYLVANIA 19106

CHARLES H. RAMSEY  
Commissioner

February 27, 2013

Mr. Shawn Musgrave  
c/o MuckRock News  
DEPT MR 1977  
PO Box 55819  
Boston, MA 02205-5819

RE: Your request for Information

Dear Mr. Musgrave,

Your request for information was received by this office for:

1. any requests for proposals, proposals submitted by vendors, contracts, budgets or cost allocations for the purchase and/or use of aerial drones, UAs, UAVs, and UASs (hereinafter "drones");
2. any policies, guidelines, manuals and/or instructions on department use of drones, including on the legal process required (such as a warrant or court order), if any, before operating a drone;
3. any departmental records concerning this department's use of drones now or plans to use drones in the future including:
  - a. the types of investigations or instances in which this department is using or plans to use drones, or how it plans to support, manage or oversee the usage of drones by another department or office;
  - b. policies, guidelines, manuals and/or instructions on storage requirements or procedures for video or static images obtained through use of drones, including retention times;
  - c. the altitude at which drones can or do fly;
  - d. drones' ability to carry weapons.

In accordance with the Commonwealth's Right to Know Law (the "Act"), 65 P.S. §67.101-67.3104. Act, the City has promulgated a Right to Know Policy, which requires the standard statewide Right to Know Form be used for the submission of written requests pursuant to the Act. See 65 P.S. § 67.504(a); *Dekok v. Lancaster County*, AP 2010-1197, 2011 PA O.O.R.D. LEXIS 25 at \*5 and n.1 (OOR Jan. 17, 2011) (holding that in accordance with the Right to Know Law, an agency may adopt a policy requiring the use of the standard statewide form established by the Office of Open Records in order to file a Right to Know Request). As your request was not submitted on or with the standard statewide form, the City does not

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consider your request to be a written request pursuant to the Act and will process it as an informal request.

After processing your informal request, the determination is as follows:

There are no responsive records for your request. Please be reminded it is not a denial of access under the RTKA if the records requested do not exist. *Cf. Jenkins vs. Pennsylvania Department of State*, Docket No. AP 2009-0065 (OOR April 2, 2009). The department does not use "drones" nor have a policy in place.

Please be advised that this correspondence will service to close this particular request with our office as permitted by law. Thank you for contacting the Philadelphia Police Department's Open Records Office.

**FOR THE POLICE COMMISSIONER**

Respectfully submitted,



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